THE EXAMINER.

No. 360. SUNDAY, NOV. 20, 1814.

THE POLITICAL EXAMINER.

Party is the madness of many for the gain of a few. SWIFT.

No. 350.

M. CARNOT'S MEMORIAL.—MR. BROUGHAM.

Mr. Examiner,—Your remarks on some parts of M. Carnot's Memorial appear to me to be founded on a misconception of the author's meaning, an accident to which every writer is exposed, whose works can only be read through the medium of an indifferent translation, and of this you are fully aware yourself.

As an instance of the author's contradiction to his own general reasoning and sentiments, you select the following passage:—"The French should be governed by the love of territorial arquisition." If this had been intended by him to convey the meaning you hesitatingly annex to it, nearly the whole of the latter part of the Memorial would be nonsense. The phrase, even as given in the translation in the *Examiner*, is territorial acquisitions, by which the author evidently means, not an extension of territory obtained by aggressions, but acquisitions derivable from the territory of France alone, by improving the size and establishing manufactories, so as to exist, as much as possible, independent of commerce,—a favourite maxim of the French economists. That this is the genuine construction of the passage in question, can, I think, be fully proved from the context in the Memorial, and for this purpose I venture to recommend to your re-consideration the paragraphs beginning "France and England cannot be governed, &c." and the following one.

The love of glory, which Carnot wishes to maintain in the French nation, and to which you also object, does not appear to me to be intended by the author for the purpose of territorial conquest; but to support, whenever his country should be unavoidably engaged in war, that high character for military eminence, which the French have justly acquired.

It is not, Sir, the vanity of supposing myself wiser than the *Examiner* that has induced me now to address you, and to recommend a revision of your opinion on the Memorial; but a desire to assist in and promote an explanation of some apparent inconsistencies in the writings of a man, whose talents and integrity entitle him to the admiration and esteem of every friend to freedom, truth, and justice. V. H.

Nov. 15, 1814.

P. S. As the report of Houston's judgment does not contain any thing to prevent its insertion in the *Examiner*, I hope to see it at large in your next paper. Mr. Brougham's manly and spirited conduct in the Court of King's Bench, has not, in my recollection, any parallel since the trial of the Dean of St. Asaph.

In justice to the great character who is the subject of the foregoing letter, we have taken the earliest and most conspicuous opportunity of inserting it. In leaving the translation, as we did, to answer for itself, we were actuated partly by our inability to meet with the original, and partly by calling to mind the grievous inconsistencies which human nature, political nature, and above all, *French* nature has exhibited; but we are afraid, especially when we consider the importance of the Memorial, and the consequent interest it gives to almost any particular notice of it, that it was our business to have anticipated our Correspondent, and speculated upon the text to more conclusive purpose. He does us the justice however to recollect the doubts we expressed on the subject, and the warning we gave our readers; and we are happy to express our general agreement with him on the point in question. The readers will be good enough therefore to soften down all that we have said of this contradiction in M. Carnot's philosophy, if not to an entire acquittal of it on the aggrandizing score, yet at least as far as the imputation of a direct theory is concerned. Our panegyric, of course, such as it is, becomes much more complete and valuable; and we look back upon it with additional feelings of respect for it's illustrious object. Still, however, we cannot help stopping a little short of our Correspondent. The recollection of what M. Carnot has said about "the natural propensity of men for military glory,"—the unqualified sense in which he speaks of the "glory" obtained by France of late years,—his reminding the Royalists, that Bonaparte only existed by keeping this same glory alive,—and one or two more sentences of similar import, especially those so completely after the ordinary style of his countrymen, in which he speaks with regret of their having "abandoned their conquests," and "given up that flourishing Belgium, which joined in wishing for a re-union with France,"—"those superb countries," he exclaims, "which all the forces in Europe could not have been able to wrest from us in ten years,"—all come across the more temperate idea of our Republican; and in conjunction with his having received a military education, and the known ambition exhibited by the governments in which he took part, induce us to suspect, that whatever may be the sincerity of his theory (and we heartily take his word for it), he would have found considerable difficulty in knowing where to rest from his military successes, or to conclude that the time for keeping within a national boundary was commenced. All this we attribute to the education just mentioned. The twig was bent a little that particular way; and the tree, however straight, sturdy, and venerable in every other respect, has never been able to outgrow the inclination.

Before we take leave of this part of our Correspondent's letter, it is in no coquettish spirit of deprecation that we decline the palm which he offers us at his own expence. We are far from pretending to dislike praise, and still farther from wishing to be thought ungrateful for it; but the more it comes from a quarter that seems praiseworthy itself, the more anxious we become to take only what we can be certain belongs to us. In the present instance, at any rate, he has the advantage of us; and it is only in the same love of truth, which he evinces, that we place our claim to any kind of political wisdom. If ever we assume a tone of superiority, it is where we conceive it necessary to counteract the voice of hollow principle-

In political science, properly so called, we are children; we have never professed it; and are not sorry to take an opportunity now and then of saying as much, especially when any praise we may receive as politicians, at a particular period, may induce newly acquired readers to look in our pages for discussions which they will miss. But there is a considerable and estimable portion of the community, in a nation like this, who look out upon the world at large with eyes of common sense, and chuse to think and judge for themselves of the rest of politics as of any other general object of knowledge; and it is of this portion that we pride ourselves, if at all, in being the representatives. Even then, it sometimes comes across us, that we are saying what will be too obvious and common-place to any statesman of ordinary gravity, who may happen to take up our paper; but we call to mind some of our brother journalists, and are re-assured; and in fine, to sum up our modesty at once, the first day of Parliament, with the Speech and it's echoes, goes a considerable way in setting up our spirits for the season.

The request contained in our Correspondent's postscript we are truly happy to gratify,—at least, as far as the *Morning Chronicle* report, which is the amplest we can find, has enabled us to do so. That of the *Times* is not so good; and if any unpleasant suspicions are saved in the public mind with regard to the effect of such trials on the characters of particular men, it will not be the fault of the *Post* and *Courier*, which have *wholly omitted it*. Could we have guessed at the interesting circumstances that were to arise in the course of the proceedings, we should certainly have taken pains to secure a report of our own; but the least we can do, after what other papers have left undone, is to give them double publicity, if possible; and we take the opportunity afforded us to offer a few remarks on the subject in this part of our paper. The conduct of Mr. Brougham, which our Correspondent so justly eulogizes, is calculated to have a much wider effect than appears at first sight:—it will benefit, we think, the bar, the bench, and the public, or at least the first and the last; and we will endeavour to shew how.

The great fault of the legal profession in general, where the lawyer is not previously of a noble spirit and great understanding, and even there the danger has not always been escaped, is it's tendency to fritter away the mind into shufflings and subtleties, and to render the whole man timid and way-giving. And the reason appears to be obvious; for as we see that the petty concerns of housewifery, and the importance it gives to every drop of expenditure, are apt to make women forget the natural generosity of their temperament, so in this instance, it is the spirit of petty calculation,—of precedents, literal niceties, &c. and of haggling, as it were, in every account between man and man, about the smallest and most disputable points, to the forgetting of all finer demands upon their nature,—in short, the spirit of *detail*,—which unfits the eyesight of lawyers for the view of great and general objects, and leaves them conning for wisdom, pedantry for knowledge, servility and bye-play for courage, and worldly-mindedness for a true and noble policy.

Common reflection helps us to this conclusion; and the same touchstone is applicable to the merits of all other professions.—But even with this conclusion in mind, it is impossible not to be struck with the pitch to which this pettiness and timidity is *carried*, when you come to be at all conversant with the profession at large. We are far, of course, from insinuating that there are no exceptions; there have been many and great ones: an instance has just been furnished by the eminent person who gives rise to our present remarks; nor can Englishmen ever forget the names of such men as Holt, Hale, and Foster,—men, by the way, who never began with the same servility, nor ended with the same worldly and indecent honours, as other judges have done: —there is one other person, at least, at the bar, who is an honour to the spirit of his country,—Sir Samuel Romilly; —and *out* of the bar, (perhaps because they are on that account out of the worst part of the temptation) we have known several most respectable lawyers, even among the race who have been stigmatized with the exclusive epithet of "vile." But really to know the profession as a body, you cannot say that you know either very wise or very courageous persons. Propose any thing bold, talk of any thing in the shape of a large policy, determine upon any thing on the ground of its real merits, and they shake their heads and seem to shrink into nothing. One man talks of such and such a Judge's setting his face against him; another pleasantly informs you that he has an argument which would drive every thing before it, only it is a weapon which he must not venture to use; and ten others will strenuously advise you to beat about the bush, or to compromise the matter at once, and thus save yourself in some minor considerations at the expence of your character and self-respect;—for they are always for preferring the little to the great, except in matters that concern great persons and great profit. Then as to the result of things, they are the most croaking of all prophets, and will be the first to assure you that there is no hope,—looking at you, as it were, with a side sort of wonderment at your temerity, though the case be actually a safe one as the event shall prove,—and then leaving you with a breathing lightsomeness and self-congratulating air, as if they buttoned themselves up in their own delicious security, and thanked God that *they* were not the persons in danger.

The bar and the bench have an action and re-action upon each other in this respect, that tend to do no good to either. The bar truckles to the bench; and the bench, not having gained a better spirit by it's own former doings when young, seems to do it's best to keep down and overawe the bar. We are speaking here of the particular Court, in which the spirit of the law is most tried by coming in contact with politics. There are exceptions in this case as well as others; but no ill-tempered boy at school, who chuses to shut his eyes to all reasonable sympathy, and is resolved to visit upon those below him the full miseries of what he suffered from those above, can ascend the upper form with a worse spirit than what some Judges have exhibited. They seem resolved to put down every thing that comes before them in the shape of independence; and thus the bar is at once cowed into servility, and by the meanness of that very feeling, made to prepare tyrants for the bench. By the same progress Judges get out of the proper sphere of their duties and decorum, and in contradiction to all the recorded advice of their better brethren, become courtiers and title-hunters,—a spirit perfectly scandalous in a Judge; who, in our opinion, and in that, we believe, of much wiser men and of society at large, ought to place his highest honours in the perfect discharge and venerable nature of his office, and not accept meaner nobilities at all.

What is the consequence of all this with the public? It is this,—that the very first feeling which they ought to have of legal advocates is done away; they have *confidence* in them no longer; and thus the utility as well as reputation of the bar die together, and the soundest part of the English community is injured in it's most vital part, by the naked condition in which it is left to the encroachments and overbearings of power.

The good then which one honest and manly lawyer may do, both to his profession and the public, is almost incalculable, even by such occasional displays of spirit as the one now before us. He sets out with retrieving, in some measure, the degraded condition of the bar, even under it's most desperate appearances; he gives a lesson to the bench, which is not likely to be lost on the particular spirit that may deserve it, and which will most assuredly be remembered by it's successors; and he helps to restore that professional confidence to the public, and that consciousness of our still possessing great and truly English spirits among us, which are at once the best pride and security of the nation,—pulses, which as long as we can feel them at our hearts, are a sure warrant to us, that we are still in a healthful and lasting state of existence.

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FOREIGN INTELLIGENCE.

FRANCE.

PARIS, Nov. 12.—The Correctional Tribunal has this day condemned to five years' imprisonment, and a fine of five thousand francs, Auguise, Ferra, Froulie, and Marre Roguin, the two former as editors, and the two latter as printers, of a libel entitled "*Extrait du Moniteur.*" The same tribunal has condemned to a fine of ten francs, four booksellers, convicted of having sold the libel.

GERMANY.

VIENNA, NOV. 1.—The differences which had for some time existed between Prince Talleyrand and Lord Castlereagh are said to be smoothed in consequence of several conferences. It is believed, that the negociations between the Prince of Metternich and Lord Castlereagh are, in particular, of the highest importance.

DRESDEN, Nov. 1.—A letter from Prince Repnin to Gen. Thielman, which has been published here, proves that it was by the Prince's orders that Gen. Lecoq and Colonel Zeschwitz were arrested and confined, for having presented to Congress an address praying the restoration of the King of Saxony. The Emperor of Russia disapproved of the conduct of military men who interfered in political affairs, and sought to disturb the State by imprudent measures.

Nov. 3.—This day was issued an official notification from Prince Repnin to the Saxon Authorities, of the union of Saxony with Prussia, in which he states it to be the intention of the King of Prussia to preserve the integrity of the Kingdom of Saxony; to secure to the people the rights and privileges that the German Constitution confers on those countries of Germany which form part of the Prussian Monarchy; and not to change, in any respect, the present Constitution of Saxony.

SPAIN.

MADRID, OCT. 31.—The sentence of the persons engaged in the party of the Cortes has already begun to appear. The Abbe of St. Ildefonso, 70 years of age, who had enjoyed during the whole of his life a certain respectability, has been banished to a Monastery for the space of six years, and his property confiscated.—Gen. J. O'Donoju, the late Minister of War, is confined in a castle.—We are assured that the same fate is reserved for P. A. Giron, one of the General Officers who distinguished themselves during the late war.—The principal orators of the Cortes await the sentence to be inflicted upon them. The departure of the King to the royal residence of the Escurial appears to announce, that *rigorous measures* having been deemed incompatible with the presence of *our beloved* Sovereign, they will only take place during his temporary absence.—Our Ministry advance towards their object with a firm and confident step. If our inconceivable financial distress did not occasion great alarm, it might be said, that the system adopted by Government would triumph over every obstacle. The self-stiled *Liberales* are confounded: the clergy, both secular and regular, are closely united to the new order of things, or rather, to the re-establishment of old institutions. Their support of Government inspires much confidence.

STATE PAPERS.

Substance of three Conventions Supplementary to the Treaties of Chaumont and Paris, concluded at London, the 29th of June, 1814, on the part of his Majesty, the Emperors of Austria and Russia, and the King of Prussia.

Foreign-Office, Nov. 10, 1814.

Three Conventions, Supplementary to the Treaties of Chaumont and Paris, were agreed to and concluded at London on the 29th of June, 1814, by the Plenipotentiaries of his Majesty, the Emperor of Austria, the Emperor of Russia, and the King of Prussia, by which the Sovereigns respectively engage to maintain, on a war establishment, 75,000 men, namely, 60,000 foot and 15,000 horse, until the arrangements respecting the future state of the Powers of Europe, which according to the above mentioned Treaty of Paris were to be regulated at the Congress of Vienna, should be completed.—His Majesty reserves thereby to himself the power of furnishing his contingent, conformably to the 9th article of the Treaty of Chaumont.—The High Contracting Parties engage to employ these armies only by common consent, and in the spirit and for the end of their above-mentioned alliance.—The acts of ratification of these Conventions on the parts of the Emperor of Austria, the Emperor of Russia, and the King of Prussia, have not yet been received in London.

NORTH AMERICA.

EXTRACT OF A LETTER FROM GENERAL BROWN TO GENERAL GAINES.

"*Head-quarters, Fort Erie, Sept. 18.*

"MY DEAR GENERAL.—The sortie that I have been contemplating ever since my return to this place was ordered yesterday.—It succeeded. We carried the enemy's battery, destroyed his battering cannon, and blew up a strong new work which he had erected with a view of destroying Fort Erie.—He resisted manfully, but was promptly overpowered; his loss—say 400 prisoners: his total loss cannot be less than 800 men. I have to lament the loss of many gallant officers. Our loss is not numerous, and our strength is but little impaired by the splendid achievement. Gen. Ripley, is severely wounded; Colonels Gibson and Wood, killed; Colonel Aspinwall has lost an arm, and Major Trimbell is, I hear, mortally wounded."

DISTRICT GENERAL ORDER.—(BRITISH).

"*Head-quarters, Camp before Fort Erie, Sept. 18, 1814.*

"Lieut.-General Drummond having received the Reports of the General Officer to the immediate direction of the troops

engaged yesterday, begs to offer his best acknowledgment for their very gallant conduct in repulsing the attack made by the enemy on our batteries with his whole force, represented to consist of not less than five thousand men, including militia. The brilliant style in which the battery No. 2 was recovered, and the enemy driven beyond our entrenchments by seven companies of the 82d regiment, under Major Proctor, and three companies of the 6th regiment, detached under Major Taylor, excited Lieut.-General Drummond's admiration, and entitled those troops to his particular thanks. On the right the enemy's advance was checked by the 1st Battalion of the Royal Scots, supported by the 89th under the direction of Lieut.-Colonel Gordon, and in the centre he was driven back by the Glengary Light Infantry, directed by Lieut.-Colonel Pearson. To these troops the Lieutenant-General's best thanks are due, as also to the remainder of the reserve under Lieut.-Colonel Campbell. The Lieutenant-General deeply laments the unfortunate circumstances of weather which enabled the enemy to approach unperceived close to right of the position, and to capture a considerable number of the regiment De Watteville's stationed at the point. The severe loss in killed and wounded which the 8th, or King's and De Watteville's regiment have suffered, affords incontestible proof that No. 2 Battery was not gained without a vigorous resistance: it is equally obvious that the Block-house on the right was well defended by the party of the King's regiment stationed in it. Lieut.-General Drummond feels greatly indebted to Major-General De Watteville for his judicious arrangement; and he also desires to offer his thanks to the respective Commanding Officers of Brigades and Corps, and the Officers and men of the Royal Artillery and Engineers for their exertions.—Lieut.-General Drummond greatly regrets the wounds which have deprived the army for the present of the services of Colonel Fischer, Lieutenant-Colonels Pearson and Gordon. Lieut.-Colonels Fischer, Pearson, and Gordon, have permission to proceed to the rear for the recovery of their wounds. (Signed) "J. HARVEY,

Lieutenant-Colonel, Dep. Adjutant-General."

MONTREAL, OCT. 1.—On Saturday last was launched at Kingston, from his Majesty's Dock-yard, the fine ship St. Lawrence, of 102 guns. We understand accounts had reached town last evening, stating that the American squadron had sailed from Sackett's Harbour with 3000 Regulars and 2000 Militia, which had proceeded to the head of the Lake, and the troops had landed at Twelve Mile Creek. We think that this intelligence is unfounded. Chauncey has been and will be cautious. He would not venture upon the Lake until our 100 gun ship, the St. Lawrence, would be ready. This vessel, in close action, would destroy all the American heavy vessels; therefore Izard's troops will have to march by land, but they will unite with the enemy's forces on the Niagara frontier. This is the result of the wavering measures. We still think that the Niagara frontier will be defended, but that in November things will not be much better than they were twelve months before.

IMPERIAL PARLIAMENT.

HOUSE OF LORDS.

Monday, Nov. 14.

DISASTER ON LAKE ERIE.

The Marquis of BUCKINGHAM, after some prefatory remarks, moved for the Minutes and Sentence of the Court Martial lately held upon Captain Barclay; which alone, he said, were highly criminatory of the Naval Administration at home, for the Sentence expressly averred, that the capture of the squadron, on Lake Erie, was caused by its inadequate equipment. Discovery, &c.

E[illegible] said, that considering the manner in which the[illegible]s were implicated, the objection to the immediate production of these minutes appeared to rest upon very solid grounds; and no advantage which could be gained by that production could compensate the inconvenience that must result from laying these papers on their Lordships' table, before the whole matter had been fully investigated. When that investigation was completed, their Lordships would have the whole subject before them, and then only could they come to a just conclusion.

Lords GRENVILLE and MELVILLE having made a few remarks, the Marquis agreed to withdraw his motion, with the understanding that it should again be made when the proceedings of the Court-Martial on General Proctor arrived.

TREATIES—STATE OF THE CONTINENT.

The Marquis of LANSDOWNE moved an humble Address to the Prince Regent, praying he would be pleased to order to be laid before the House Copies of any Treaty or Engagements with Foreign Powers, for the employment by this country of British or Foreign troops on the Continent. He said, that considering the grand part which England ought to sustain at the Congress, he certainly did expect to find in the speech, those principles explicitly and fully stated on which we were to conduct our share of the negotiation. Of the Congress, as he knew little, he should say little: but it was impossible to shut one's ears wholly to the rumours that were passing, and schemes of aggrandisement and change were announced which forced men's attention. He had heard something of not merely the destruction of the independent states of Italy, of Lucca, Genoa, and others, but even of alterations in the interior of Germany, which he could not sufficiently deprecate. Their Lordships had for many a year reason to regret that European crime, the partition of Poland. There were perhaps few of any party who would not now ascribe the original calamities of the Continent to that partition. It was left with its great military population for the purposes of the first military adventurer, for any man that like Bonaparte was inclined to use its resources. How it had served him was now not unknown; and it conveyed an idea not unprofitable, if wisely felt, of its resources for war, when their Lordships would know that Poland in the last war, even after all its losses and privations, gave no less than from 80 to 100,000 soldiers for the havoc and misery, or what might have been the havoc and ruin, of the Continent. But that war had taught us one great lesson. It had taught that the defence of national tranquillity was to be found in the local affection of the population to their country and government. And what had restored the Continent? It was that spirit of local affection which made every German gentleman an officer, and every German peasant a soldier. There was a time, not long since, but nine months ago, when the great powers were alive to those considerations. No farther back than the 16th of March he found them disclaiming all views of aggrandisement, and this not as to France alone. Their declarations went on to state the impolicy and injustice of attempting to unite nations whose differences of custom and feeling could not admit of association with the neighbour nation, even in centuries. It was time, after our experience, to look to a higher standard than we had hitherto adopted. *We must look to the natural rights of nations.* Of all the Powers of Europe, assuredly England was that one most called upon to stand forward in the assertion of that standard. At present, how much at variance with it were the rumours scattered abroad of changes not merely embracing Poland, but interfering with constitutions already established? For instance, Saxony was now to be crushed. Lusatia, the gift of Austria for services done to her, was now to be dismembered by the act of Austria, and Saxony to be abandoned to another Government! He hoped it would not be assigned as the cause of this, that Saxony had taken part with France; for which of the greatest powers of the Continent was not infected with that alliance? What was to become of Austria, that had joined the continental system, and had embarked in the war against Russia? Bonaparte entered Germany. Saxony was overrun before Austria declared. Saxony was unassisted, and in military possession of France after the battle of Lutzen. The Saxon King was forced to return to his dominions for the protection of the people, and

his submission was without a single attempt on the part of Austria. But look to the great day of German triumph—the battle of Leipsic. Look at the services of the Saxon troops while the conflict was still doubtful. They came forward confiding in the declared principle of the Allies, and we know how much they contributed to turn the day. Would they have done this, had we said to them, we are going to extinguish your country? It was on grounds of justice and respect for national rights that we could alone hope to sustain the permanent peace of Europe. A resolute and unrelaxing adherence to such principles would put into the hands of governments an instrument more potent for public safety than any other that could be devised. Europe might be now quiet, but who could answer how soon its quiet might be disturbed? Or what enemy might not arise,—or whether some great military genius might not again start forth to take advantage of the general discontent,—or whether even Europe might not again see that extraordinary Being, who was now exiled to Elba, coming forward to take another eagle flight for power: coming to display

"The terrors of his beak, and lightnings of his eye."

When great burdens were pressing on the country; when heavy demands were about to be made; with an army to maintain on the Continent; with the drain of an American war; with the competition of foreign industry and cheapness threatening our manufactures, he could not sit silent, when the question was how to lighten those difficulties. For the purpose of taking the first step, and informing their Lordships of some part of our situation, he should now move for "copies of the engagements entered into by us with Foreign Powers for the maintenance of troops on the Continent."

The Earl of LIVERPOOL thought that the House would feel with him, that much could not be said on a variety of the topics which the Noble Marquis had touched upon, without materially affecting those interests which were now under discussion in the Congress of European Powers. Considering the convulsions with which Europe had been torn, it seemed to grow out of the very nature of the case, that the Allies should maintain on foot a powerful body of troops. Under these circumstances, would the Noble Lord, or any one else, have recommended, that Britain, looking to economy solely, should withdraw the whole of her force from the Continent, and leave the other Powers to themselves? Whatever diversity of opinion had existed as to the degree of our interference in continental affairs, there never had been any difference of opinion as to the importance of the independence of Holland and the Low Countries to the interests of Britain. He recollected Mr. Fox himself, once, when the subject of negociation was debated, declaring, that if there was any chance of regaining or defending the Low Countries, no exertions ought to be reckoned too great, and that war ought to be continued for that object alone.—About the end of June last a treaty was concluded, by which the Allied Powers did agree to keep up a specified force, for the maintenance of tranquillity on the Continent. When the treaty with France was discussed in the last session, no objection was made from any quarter to a British force being kept up with this view. There was no disposition on the part of Ministers to withhold the Conventions themselves; but as they had not yet undergone the formality of ratification, he trusted that their Lordships would be satisfied for the present with their substance. He was prepared, when the proper time arrived, to defend their policy.

Lord GRENVILLE declared, that the constitution of the country required that a measure so stupendous as that of maintaining an immense British army on the Continent in time of peace, should have been distinctly communicated to Parliament. The Noble Lord had said something on the mode in which the definitive treaty with France was concluded. He (Lord G.) at the time that treaty was under consideration, had expressed great doubts of the wisdom of the proceeding which had been adopted, because it tended to lessen, if not to annihilate, the influence of Britain with the Continental Powers, her allies. France, from her position alone, could not be excluded from influence in discussions about continental arrangements; but from our insular position, our only influence rested on the possession of those colonial acquisitions, which we were entitled to hold, not only for the purpose of reducing France within just limits, but also with the additional view of making other arrangements on the Continent, in which this country naturally felt a deep interest. If an armistice only had been signed at Paris, we should have brought to the ulterior negociations all that influence which we possessed at the close of the war, and thus should have been able to prevent that fatal delay which had since ensued. We had surrendered all the means of influence afforded us by our acquisitions, and were in consequence saddled with the immense expense of maintaining an army on the Continent, in order to defend interests which our situation alone at the close of the war would have enabled us to protect. What effect the presence of our army might have in settling the minds of the people of the Netherlands, he did not know; but that these minds should be settled at all by a foreign army, did not appear so consoling to this side of the House as it might to the other. As to its effects on the general pacification of Europe, the Noble Earl was silent: he did not call for his explanation at present; but dreadful would be that moment when it should come, in which the name of a British negociator should be found sanctioning the establishment of that system of unjust partition, which was, as his Noble Friend had truly called it, the origin of all our calamities. What steps would be taken, he would not venture to pronounce; but at least we might have this consolation, that if instead of hailing the re-establishment of that national independence, the principle of that great cause in which we had fought and conquered, we should be doomed to witness its final condemnation,—to see an act which should recognise no right in any nation to independence, but which should declare, *that the power of the strongest was the only law, and that ambition was the only rule of justice*, signed by all the Sovereigns at the Congress, and handed down to posterity as the final issue of the contest of Europe,—we might at least have this consolation, and the Noble Earl might have at least this satisfaction of accompanying the dreadful instrument with a protest lamenting its execution, disclaiming any share in it, refusing to acknowledge it, declaring it to be an insult on the rights of mankind, and a violation of those principles solemnly recognised in the state paper which had been read by his Noble Friend. But he could not enter into the separate cases of those Powers who would be the victims of such an instrument, for that would imply a doubt that such a measure was contemplated. He could not make a question of the right of transferring the sovereignty of Saxony (a people happier in their own government than any other nation of Germany) against the desire of the people, and in opposition to the will of those armies who conquered at Leipsic, the battle of which was the root and foundation of all success—to the dominion of any other power. He could not bring himself to inquire whether nations were to be transferred like flocks and herds—not as subjects of a Prince who held their government in trust for their benefit, but as property to be assigned at the will of its possessor. He should have felt more at ease, nevertheless, if the Noble Earl, instead of preserving silence on this point, had proclaimed principles like these, and had assured the House, that though our negociations might be unsuccessful, they should at least be never stained with the guilt of making us a party to principles destructive of the truest interests and dearest rights of nations.

The Marquis of LANSDOWNE agreed to insert the words "or substance" after the word "copy" in his Address; after which it was put and carried *nem. con.*—Adjourned.

HOUSE OF COMMONS.

Monday, Nov. 14.

COMMITTEE OF SUPPLY.

Sir G. WARRENDER (a Lord of the Admiralty) said, that as the war was unfortunately still carrying on with the United States of America, it was necessary that a certain number of ships and seamen should be yet kept in employ. He moved, therefore, that 70,000 men should be voted for the service of 1815, including 15,000 marines. Ordered. Also, that

1,615,250*l.* be granted to his Majesty for wages for the said 70,000 men, at the rate of 1*l.* 15*s.* per month for 13 months.

Mr. PONSONBY had heard some time since, that there was a general expectation of a large loan being required, and a considerable alarm had taken place in consequence. He had also seen an account of a meeting between a number of the principal merchants of the city, in which a gentleman was called to the chair who had formerly been a member for the City, and who had always given his support to the government as if it had been the best possible government in the world; but who, on the occasion to which he was then alluding, had shewn by the proceedings, in consequence of the several meetings held between his Majesty's Ministers and the Committee, that the measures proposed to be adopted by the best of all possible Governments, were the worst of all possible measures, and highly injurious to the best and most important interests of the merchant! He should, therefore, previously to giving his sanction to the vote proposed, be glad to hear some reason why Parliament had thus been abruptly summoned, and having met, what were the financial calls that he had it in contemplation to make on them.

The CHANCELLOR of the EXCHEQUER said, that if the Right Hon. Gentleman directed his views to any of those points which constituted the branches of what was termed the budget, and wished him to speak as to them, the Right Hon. Gentleman must be sensible they could not be brought forward at this period of the year. However, he had no objection to giving such explanations as related to the matters which he meant to submit to the consideration of the House before Christmas. With respect to what he had said of a large loan, he had never conceived an idea of proposing a loan or even the funding of Exchequer Bills previous to the Christmas recess. All he now purposed to do was to forward in their ordinary course the annual tax bills, and to provide for the payment of about two thirds of outstanding Exchequer Bills, which made about 15,000,000*l.* Parliament, however, had already paid off 3,000,000*l.* that made the sum only 12,000,000*l.*, which instead of an increase was a reduction. These were the only matters of finance that it was his intention to bring forward at present. The Right Hon. Gentleman had alluded to meetings which had taken place between several of the merchants of London and Lord Liverpool and himself, respecting the bonding system. The result of those meetings was pretty well known to the public. It had been stated, that by this call on the merchants, a sum would be raised amounting to several millions. Nothing could be farther from the truth. In the bonded account it appeared that the highest amount of the duties to be paid would only be 1,200,000*l.*; half the goods would be exported, for which there was a drawback of the duty: so that Government could not get more than 300,000*l.* for which four months were allowed to be paid by instalments; so that only 75,000*l.* was to be paid down. He himself had taken the opinion of every custom-house officer who had a knowledge of this subject, and they were uniformly of opinion that if something was not done by way of settlement of these accounts, the most serious injury must arise to Government. If suffered to proceed, there would be no possibility of winding up the accounts, the entries of which at present amounted to 1,000 folio volumes. He was prepared to concede a considerable extension of the indulgence, but previous to that, there must be a complete winding up of the account.

Mr. BARING thought the Right Hon. Gentleman had listened with too much attention to the revenue officers, and too little to the merchants, whose interests were so deeply affected by this measure. If the Right Hon. Gentleman persisted in his present plan, he should think it his duty to move, to refer the subject to a Committee above stairs.

Mr. TIERNEY said, that though the season of our foreign troubles was now happily done away, he would affirm that there never was a period in which so much was necessary to be done concerning our internal affairs. The state of our finances required to be probed to the quick, and not a moment was to be lost in the appointment of a committee to examine and report upon the situation of our income and expenditure. Look at the progress of our Army Extraordinaries, and it would be found that in 1810, they were taken at 2,750,000*l.* but were found short by 627,000*l.* This deficiency was made good, and the next year we gave 3,200,000*l.* when a deficiency appeared of 2,300,000*l.* That was paid off, and the extraordinaries were taken at 5,000,000*l.*; but even with that sum 4,000,000*l.* more were afterwards wanted. Well, then, 9,000,000*l.* were taken, and now 10,000,000*l.* *additional* were required. This was the progress of the business; and yet the Right Hon. Gentleman thought it sufficient to put into the King's Speech that the revenue was flourishing!! He, on the contrary, would assert, that *it was in a most miserable state!* A more deliberate falsehood was never put into the royal mouth. The question was not whether we collected greater revenues than formerly, but whether they were adequate to the *demands*. Ten millions, twenty years ago, might have been a proof of flourishing times; but the case was not so now. The revenue was any thing else than flourishing, for it was not equal to meet the burthens. He had drawn up a paper, from which he proceeded to read a variety of statements in proof of his assertions. He had assumed some premises to calculate upon, such as to suppose we should be at peace in January, and he took his calculations of income and expenditure from January last. He had, from some circumstances, expected a great increase, but the returns since last January were imperfect: he should, however, assume an increase of a few hundred thousands. In this view the consolidated fund debt was 38,357,000*l.* to which was to be added the average proportion for England of 234,000*l.* making a total income of all taxes of 41,591,000 round numbers, and no more, unless they went on to the 10th of Oct. last, and added about 300,000*l.* That was all the income side of the account. Then there were the charges and interest, the 495,000*l.* for the Emperor of Germany, the outstanding Exchequer Bills about 30 millions, which he should suppose funded at 75 in the 3 per cents, the one per cent. on the Sinking Fund, the winding up of the war accounts, which he took at 20,000,000*l.* the interest, the charges of the Consolidated Fund, &c. all which, after deducting 204,000*l.* payable by Ireland, amounted to 40,334,000*l.* Beyond that we were to add the 13-17ths on the Irish funds, being 687,000*l.* making, in all, 41,021,000*l.*, and *leaving a surplus of about 570,000l. to meet her Peace Establishment; and no person could shew him where a farthing more was to be had.* He then stated the income and expenditure of Ireland, of which the income would amount to 4,787,000*l.* British currency. The conclusions he drew from the statements of Irish finances was, that for 5,000,000*l.* of expenditure, there was a deficiency of income of 502,000*l.* The whole income for Great Britain and Ireland would be 46,377,000*l.* including all branches, and the whole expenditure 46,312,000*l.* *which would leave a balance of 15,000l. and nothing more.* So that if peace were settled on the first of next January, there was not a moment to be lost in providing for our establishment. Whatever it might be, the whole of it must be provided for. Recollect, however, that this was all we had for that object. Where the rest was to come from, he did not then expect the Right Hon. Gentleman would tell him; but the House ought to inquire and institute a Committee on this most interesting state of the finances. Where, then, were the Minister's resources? He might have one, perhaps, in the result of his plans respecting the Sinking Fund. By that plan he had certainly hitherto saved taxes, but he had done great mischief by it. He implored the House so consider, that without any further continuance of war, but leaving it off at once, they would have no more than five millions at disposal to meet the new establishment. Where, then, were the resources? He hoped to see no fresh inroads to the Sinking Fund. Perhaps a loan would be the best mode; but what would be thought of a loan in peace? There was the property tax. He had already stated, that he considered that as expiring next April; but the Minister said, that was not so clear: however he should not bring forward his measure till after the recess. But why not? The question seemed decided. The war taxes and the Bank restriction were measures to last till six months after peace; the property-tax till the end of the present war, and

till the signature of a definitive treaty of peace. Now that must relate to the war then existing, according to two acts of Parliament on the subject. The Right Hon. Gentleman could not dispute this: the acts expressed it, and the words "and no longer" were added. If ever the public faith was pledged, it was pledged distinctly in this case. If the House were adjourned before this question came on, where would be the time and opportunity for the public to petition against the continuance of the property tax. He (Mr. T.) thought, on its first proposal, and thought still, that it was an unequal and unjustifiable tax; though there might be circumstances to render it necessary, from the impracticability of resorting to any other that was adequate. He had certainly consented and assisted in increasing it, and he prayed to God to forgive him for it! But he felt himself so much the more bound to see that faith was kept with the country respecting the duration of so grievous a burthen. It was a tax not to be justified, but on the impossibility of carrying on the war without it. No gentleman could argue in its favour. Its continuation was dangerous: it must promote emigrations, not merely for pleasure or education, but emigrations that would take away capital.

The CHANCELLOR of the EXCHEQUER perfectly agreed with the Right Honourable Gentleman (Mr. Tierney) that the financial situation of the country was a subject of the highest importance. He trusted, that when it should be brought regularly before the House, they would meet it in the manly way recommended, and that there would be no indisposition to look the question in the face. It would be then for the consideration of Parliament, *whether any or what retrenchments could be made*, and what financial measures it would be most advisable to adopt, to provide for the necessary expenditure. He was charged with having put a deliberate falsehood into the mouth of the Prince Regent, in making him represent the revenue in a most flourishing situation, when, according to the Right Hon. Gentleman, nothing could be more miserable or alarming. The Right Hon. Gentleman would not allow the revenue to be flourishing, because the debt and charges were great. Was it not evident, then, that the Right Hon. Gentleman chose to understand the word in a sense in which neither the Prince Regent nor any one else in the world would use it? It had been stated to be flourishing, because it had been productive beyond what it had been in any former year. In the year ending the 5th of January, 1813, the revenue had been about 59 millions. In that ending the 5th of July, the same year, it had amounted to between 60 and 61 millions; and in the last year it had been near 63 millions. [Here Mr. TIERNEY said, that his statement was of the year ending the 5th of January, 1814.] The CHANCELLOR of the EXCHEQUER said, that this mode of making up the account would make a very trifling alteration. The consolidated fund was increasing, and he trusted it would continue to increase. It was true, that the charges on it had increased also, *and that the statement of the Right Hon. Gentleman was correct as to the surplus applicable to our peace establishment being very small indeed.* Was that, however, a sufficient ground for alarm and despondency? At the close of the last American war, the produce of the consolidated fund scarcely exceeded the incumbrances upon it; and yet in a very few years after, under the administration of Mr. Pitt, the country arrived to great financial prosperity. We had now, besides other resources, 24 millions of war taxes. *Whether any or what part of those war taxes ought to be retained, would certainly be a subject for mature deliberation*; but the existence of them was sufficient to convince the country of the greatness of its resources. As to the property-tax, all he should say at present was, that he understood that as the law now stood, it would expire on the 5th of April next. He thought that this consideration alone was a pretty sufficient pledge that the adjournment would not be for a late period. Besides this tax, the Mutiny Bill, and the Bank Restriction Bills, would naturally expire about the same time. The Right Hon. Gentleman might therefore lay out of his head all fear of Parliament being adjourned to a much later period than usual.

The resolution for the pay of the sailors being read,

Mr. PONSONBY was particularly surprised to find that the Right Hon. Gentleman had not made up his mind upon the repeal of the Property-tax. The law was as plain as possible; it was as strong a pledge as Parliament could give, and it would be the most gross breach of public faith to continue it. One most objectionable feature of this tax was, that the case of increasing it by a *per centage* gave a strong temptation to Ministers. This tax was abhorrent to the principles of our free constitution. The scrutiny to which it subjected a man's private affairs appeared intolerable. He wished to know the present object of the war, or what were the terms that Ministers considered honourable? He should be very glad to hear from Ministers, that it was not their object to make conquests. He thought such a declaration would have a powerful effect in compelling the American Government to peace.

Mr. W. KEENE apprehended great danger from her growing power, if America retained the dominion of the lakes.

The question was then carried.—On the resolution for the expense of navy ordnance;

Mr. WHITBREAD wished to know why Captain Barclay's vessel had her guns of different calibre? This circumstance had been found in action most distressing, and probably led to the defeat on Lake Erie.

Mr. CROKER said, why the vessel was armed in that manner, or by whose authority, he could not inform him.

Mr. WHITBREAD wondered that no information could be given respecting a circumstance which perhaps contributed to the defeat of our squadron.

Sir JOSEPH YORKE could easily answer that question. The Admiralty had nothing to do with the equipment of this squadron, which was entirely within the province of the Colonial Department. It was now customary to bring all manner of charges against the Admiralty, and from many of the representations hawked about, the public would be induced to believe the Lords of the Admiralty to be the greatest *dolts* in the world (*a laugh*). As for himself, he would not exchange his abilities for those of the Hon. Gentleman (Mr. Whitbread). He would not exchange his exertions or his patriotism for those of the Hon. Gentleman; and, in short, there was nothing belonging to the Hon. Gentleman with which he would consent to make an exchange. (*Much laughter.*)

Mr. WHITBREAD said, that as to the exchange spoken of by a Lord of the Admiralty, he must observe, that as this exchange was not desired by him, he thought that they had both better remain as they were (*a laugh*). At the same time he must continue his occupation, and ask occasionally, although always with the best possible temper, which he was sure would be met in the same manner (*a laugh*), such questions as a sense of duty suggested as necessary and proper to be asked. As the arming of the ship did not belong to the Admiralty, he should ask of the Colonial Department, why Captain Barclay was so crippled in his means?

Mr. CROKER replied, that the Colonial Department gave the earliest information to Government of the preparation of the Americans on the lakes; but the affair on Lake Erie took place before Government could send a sufficient force to that quarter.

Sir G. WARRENDER moved, that two millions be granted for the service of the Navy.

Mr. WARD had heard, that ships for Lake Ontario, sent out in frames, had, after they arrived, been found useless, and sold.

Mr. CROKER replied, that two ships were sent to the St. Lawrence to be carried up the lakes, which they might be in a very short time after the shipwrights had completed them. These were sent at the request of the Admiral on the station. One had arrived, and he hoped would be launched on the Ontario; the other had not reached its destination, because Sir J. Yeo conceiving the loss of time not material, preferred transporting the stores for other ships.

The CHANCELLOR of the EXCHEQUER then moved, that 1,600,000*l.* be granted for making good engagements to the Emperor of Russia and King of Prussia.—Agreed to.

GENERAL ROSS.

The CHANCELLOR of the EXCHEQUER rose to move for

the erection of a monument to General Ross. The glorious behaviour of that officer was known to the country. He served in Holland, and distinguished himself when an attack was made upon our line. In 1808, he went to the Mediterranean. At Corunna he gained fresh laurels. In 1813, he was placed under Lord Wellington, who more than once distinguished him by his approbation. At the battle of the Pyrennees, he charged the enemy four times, and was wounded, and two horses were killed under him. At the battle of Orthes, he received fresh approbation from the Commander. In America, he carried the lustre of his actions to their highest pitch. In concert with Admiral Cockburn, he planned the attack on Washington, a city supposed inaccessible except by a very large army. In attacking that city, he had an office to perform which required great judgment. He was called upon to punish the enemy, in retaliation for their devastations in Upper Canada, and he executed this duty in a manner that drew forth *the applauses of the Americans themselves*. He could have annihilated the whole city, but contented himself with destroying the public buildings, as a mark of the power of the British arms. The Right Hon. Gentleman hoped the Americans would not provoke a repetition of this conduct: orders had been sent out to avoid it if possible. After having led off his victorious troops, on a plan of a similar nature upon Baltimore, he was struck by a rifle shot, which only gave him time to recommend his wife and children to his country. An admiring and grateful people will manifest their gratitude to his memory, by adopting the hero's family (*Hear*). Gen. Ross had scarcely exceeded his fortieth year, and his loss would be most severely felt. In order to shew such a sense of gratitude to his valour, skill, and judgment, as must be honourable to the country, and gratifying to his family, he should move, that an address be presented to the Prince Regent, praying his Royal Highness would be pleased to order a monument to the memory of Gen. Ross in St. Paul's.

Mr. PONSONBY lamented, that we had pursued measures at Washington which civilized nations must abhor: it was possible they might have been provoked, but he was sorry it fell to Gen. Ross to execute them, as no man was less inclined to destruction.—Motion carried.—Adjourned.

Tuesday, Nov. 15.

SPAIN.

A conversation took place respecting the payments made and making by the English Government to that of Spain, in which Mr. VANSITTART admitted, that at the request of Sir James Duff, the British Resident at Cadiz, several Spaniards ("*libellers*") who had taken refuge at Gibraltar, had been given up to the vengeance of the King of Spain, by the Commander at Gibraltar, Gen. Smith.—Mr. V. said that this proceeding had not been approved by Government, and that nothing of the sort would again occur; Mr. WHITBREAD, however, gave notice of a motion on the subject, as he thought there was much to censure in the proceeding.

CIVIL LIST.—MR. CANNING, &c.

Mr. TIERNEY moved for several papers relative to the Civil List Expenditure, which motion was resisted by Mr. VANSITTART; when

Mr. TIERNEY observed, there was a settled belief in the public mind, that there were great and increased outgoings in the expenditure of the Crown. Did the Right Hon. Gentleman doubt that projects of profuse expense were in contemplation? Had he heard of no plan for a superb palace? and was this a time, with such a view of their financial situation as he had the day before disclosed to them, for the construction of superb palaces? If the Regent did entertain these schemes of costly magnificence, it was the duty of the House to the country, who must pay for the whole, to interfere and prevent their execution. The residence at Windsor was still going on, and had cost last year 88,000*l*. He willingly gave credit to the Right Honourable Gentleman for disapproving of these things; he doubted not that he made representations against them, and that he had taken every practicable step, except that of his resignation, to restrain them (*a laugh*). One fertile head of expense the Right Hon. Gentleman had himself formerly admitted,—the expense of embassadors; and yet Lord Clancarty and Mr. Canning had been sent out since. The allowance to the latter Gentleman of 14,000*l*. a year, besides outfit and plate, all proceeded out of the Civil List.—From what other fund, too, had the 36,000*l*. paid for a house in Paris for the Duke of Wellington been taken? He knew that there was a deduction of 2000*l*. a year from his salary, in consideration of this purchase; but from what fund had the money in the mean time issued? The Civil List a few years ago amounted in the whole charge to 1,030,000*l*.; it was last year 1,300,000*l*.; and was in all probability now much more. Against the progress of a profusion so alarming, the House ought to oppose itself resolutely, and to shew the country, that if the Crown had its prerogatives, they also had their's, of which they were not unmindful when the necessities of the State called for their exercise.

The CHANCELLOR of the EXCHEQUER was free to admit, that he had *no hopes* of being able at the expiration of the year to shew *any reduction* in this branch of the expenditure (*Hear, hear!*) On the contrary, he believed there would be found a considerable excess (*Hear, hear!*) All the due information would be submitted, according to the provisions of the act, in a short time. As to new projects of expenditure, and new edifices on a large scale, he agreed with the Right Hon. Gentleman, that if any such plans were in contemplation, they were most unseasonable, and must necessarily require the previous sanction of Parliament, who alone could authorize them (*Hear!*) He could further assure the Hon. Gentleman, that whenever the time should arrive when his resignation should be necessary for marking his opinion upon such projects, he should not hesitate to take that step (*Hear!*)—The Right Hon. Gentleman had truly stated his opinion respecting the disbursements in the department of diplomatic agency. The appointments of Sir C. Stuart and Lord Clancarty were of a temporary nature. The Right Hon. Gentleman had fallen into one gross misconception relative to Mr. Canning's mission. It had become necessary to relieve Sir C. Stuart from this situation, and Mr. Sydenham was appointed his successor. The latter Gentleman soon implored to be removed on account of the state of his health. It surely, then, could not be improper under these circumstances, at a time when the Prince Regent of Portugal was about to return to his ancient territory, which had been defended by British valour, protected in his passage by a British fleet, allied to British interests, and *dependent on our power*, to appoint a splendid mission to congratulate him on his return? With respect to the house purchased for the Duke of Wellington, it must be the wish of all that he should be respectably lodged; and that the money was in this case well laid out was the opinion of the persons consulted, and among them the Duke of Wellington himself. The purchase money was to be paid within the term of four years.

Mr. TIERNEY replied, that if he was well informed, there was a great probability that the Prince Regent did not intend to revisit his European dominions: but certainly it would have been time enough to have sent Mr. Canning, if he was the only person capable of bidding him welcome, after he should have set out (*Hear!*) But, no; this splendid embassy is sent at a time when we had another Minister (Lord Strangford), supported at a great expense, actually at the court of the Prince Regent in the Brazils, and a fresh and totally superfluous addition of 14,000*l*. a year, amounting together with the charges of plate and outfit to at least 20,000*l*. this year, saddled on the backs of the unfortunate people of this country (*Hear, hear!*) The Right Hon. Gentleman had considered the term he had before applied to this transaction as too harsh, and almost unparliamentary. He had undoubtedly called it "*a scandalous* job." The expression was, indeed, quite the appropriate phrase; it was the very epithet in use upon such occasions among all well disposed christians: (*a laugh*) but if it would be more satisfactory to the Right Hon. Gentleman, he would call it an "*abominable*" job (*a loud laugh*). But if it had become necessary to remove Mr. Sydenham, there were many other Mr. Sydenhams who would have been very happy in the appointment, less able perhaps than that gentleman, and of course less eloquent than the present Ambassador. He hardly

know how it happened, but there was not one among the partizans of Mr. Canning, not a single friend enlisted in his *squad*, if that was a parliamentary word, who had not contrived to get something. Some who could get nothing better had taken baronetcies, and if he was not greatly deceived, he had then an embryo baronet in his eye *(a laugh)*. It was like the last lottery, where there were no blanks, but all was prize-money.

Mr. HUSKISSON remarked that the Right Hon. Gentleman mentioned with some degree of sarcasm, the rumours that had gone abroad of his Right Hon. Friend having, in the course of last Session, so far despaired of ever being able to join the present Administration, that he was afraid he should be deemed a millstone about their necks, and wished them to shift for themselves as he would do; and now he had found it necessary to visit Lisbon for the health of his child, it was said he had joined his adversaries for emolument, and occasioned extraordinary expense by the appointment of an Ambassador instead of an Envoy. This he denied to be the fact; and as often as this subject came before the House, he would defend it: he had no doubt Ministers would give sufficient reasons for appointing an Ambassador instead of an Envoy.

Mr. WHITBREAD said, that he would have been very glad to have seen the Right Hon. Gentleman (Mr. Canning) in his place, and to hear his answer to the question he would have put to him, viz. "On what grounds he could reconcile it to his feelings to accept a station *under* the Noble Lord, of whose talents he had *once* expressed so great a contempt?" He insisted, that Mr. C. in accepting the office of Ambassador under the present Administration, had descended from an eminence which certainly required some consideration; and he had a right from all that had appeared on the subject, to infer that if Mr. C. had not been appointed Ambassador, nobody would have been sent to Portugal in that capacity. He censured the expence of the house in Paris for the Ambassador, and alluded in pointed terms to the apparent determination to build an expensive palace, which the Chancellor of the Exchequer was well aware of, and had no means of stemming the torrent of expense, for which he would find he had no resource to enable him to avoid being overwhelmed by it, but that of *resignation*. He condemned the expenses of the exhibitions in the Parks, and the outrage against morals which for ten days disgraced the metropolis. Lamentable to reflect, that for all this wanton expenditure there was no person answerable. During the reign of our unfortunate monarch, there would have been a hubbub if the sovereign had gone a hundred pounds beyond the limits of the civil list; but now there seemed no bounds to extravagance.

After some further conversation, Mr. TIERNEY withdrew his motion, upon the express condition, that if next week some mode of acceleration was not adopted, he should not be precluded from repeating his motion.—Adjourned.

Thursday, Nov. 17.

PROPERTY TAX.

Mr. WHITBREAD presented a Petition from the Proprietors of the Auction Mart, which stated that they had been charged 15 per cent. instead of 10; and that they had in vain sought redress.

Mr. VANSITTART observed, that the Property Tax Commissioners were not appointed by the Crown, and that the law had made their decisions final, so that the Treasury could not interfere. As to the Tax itself, it would expire on the 25th of April, unless renewed by Parliament! If he thought that it would be at that time proper to continue such Tax, he should not shrink from his duty, nor, he was confident, would the people shrink from their's, if they were convinced of the necessity for its continuance.

COURT-MARTIAL ON COL. QUENTIN.

Col. PALMER's Motion, for the production of the proceedings of the Court-Martial upon Col. Quentin, was negatived, after a long conversation—there being 37 for it, and 144 against it. In the course of the conversation,

Mr. TIERNEY said, it could not be denied, but that by the law, as at present administered, if any Officers attacked another who was a *favourite (the Prince Regent, who is the Colonel of the regiment)* they would, without an opportunity of defence, or of shewing who were more or less guilty, be subjected to severe punishment.

Mr. WELLESLEY POLE replied, that so far from favouritism having any thing to do in the business, it was just the contrary; and that the case afforded a happy example to the army, that neither rank, nor family consequence, nor individual service, could be allowed to prevail against justice.—*(Hear, hear!)*

The JUDGE ADVOCATE, among many other things, said, that though there was no order on the subject, it was the invariable practice to make the inferior officers responsible for the Charges they preferred; that the Prosecutors had in this case made in fact a direct charge of cowardice, which the Court-Martial had dismissed as unproved.

Col. PALMER, in answer, said, he was convinced that the sentence of the Court was not justified by the evidence, as it in fact acquitted Col. Quentin and criminated the Officers.—The majority against the motion amounted to 107.

Friday, Nov. 18.

HACKNEY COACH ACT.

Mr. LUSHINGTON obtained leave to bring in a Bill to amend the late Act respecting Hackney Coaches, from which, he said, much inconvenience had arisen.

SUPPLY:—WAR IN AMERICA.

The sum of eight millions having been moved for the Army Extraordinaries, a long conversation took place, in the course of which, Mr. WHITBREAD alluded to the war in Canada: he said that Sir G. Prevost had advanced into the American territories with 12,000 men, and advanced to Plattsburg in six days—that he had retreated in two days over the ground which he had been advancing through in six—and that in the course of his retreat this disastrous circumstance occurred—that *he had lost two thousand men by desertion* in those forty-eight hours, and these men not the militia of the country or raw troops, but those heroes who from their prowess, and the name of the great Commander under whom they had served, were called Wellingtonians. It was also said that the public mind in Canada was much inflamed, and that the persuasion was that affairs would not assume a happier aspect until Sir G. Prevost was recalled. Thus had we the prospect that the war with America would be an adequate sequel in expence to that which we had terminated, and before the House voted so large a sum as was proposed for the arrears of the past war, it would be incumbent on the Chancellor of the Exchequer to give them some information as to the circumstances of the contest in which they were actually engaged. Since, by a memorable change, all the Powers in Europe who had been leagued against us had become neutrals, and the only Power who had been neutral, had become hostile to us, we should show to America that we would behave to the Powers now neutral as we had formerly towards her. We should show her that our idea of right was not conformed to circumstances.

Mr. VANSITTART said, that to the dissertation of the Honourable Gentleman (Mr. Whitbread) it was not to be expected that he should make any reply. It was true that dispatches had arrived, and as much as could consistently with justice to Officers and the public service be promulgated, would be published to-morrow.

Mr. Ponsonby said, the Chancellor of the Exchequer could have no objection to calm the anxiety of the House with respect to the disaster which had been reported. He also understood that General Drummond had raised the siege of Fort Erie.

Mr. Vansittart said, that he had no knowledge of the desertions mentioned having taken place. They were not mentioned in the dispatches from Sir George Prevost, who, if they had occurred, would have noticed them. (*Hear, hear!*) General Drummond *had retreated from Fort Erie*, but without disaster or disgrace.

The Resolution was agreed to.—Adjourned.

TUESDAY'S LONDON GAZETTE.

Foreign Office, Nov. 15, 1814.

His Royal Highness the Prince Regent has been pleased to appoint Richard Belgrave Hoppner, Esq. to be his Majesty's Consul-General at Venice, and in the Austrian territories in the Adriatic Sea.

BANKRUPTCIES SUPERSEDED.

J. and P. Hodgson, and J. Key, Workington, Cumberland, bankers.—R. Blackwell and S. Needham, Crescent, Minories, merchants.

BANKRUPTS.

E. Harris, Bristol, carpenter. Attornies, Messrs. Rossers, Barbett's-buildings.

T. Bevan, Okehampton, silversmith. Attornies, Messrs. Anstice and Wright, Inner Temple.

J. Hale, Bristol, carpenter. Attornies, Messrs. Whitcombe and King, Serjeant's Inn.

R. Blackwell and S. Needham, Crescent, Minories, merchants. Attorney, Mr. Hurd, Temple.

R. Wood, Marton, Yorkshire, horse-dealer. Attornies, Messrs. Freame and Best, Temple.

T. Colgreave, Great Faringdon, Berkshire, cheese factor. Attornies, Messrs. Price and Williams, Lincoln's Inn.

J. Hague, Narrow-street, Limehouse, wine merchant. Attornies, Messrs. Parnther and Turner, Fenchurch-street.

J. Lovegrove, Horsemonger-lane, rod-merchant. Attorney, Mr. Kiss, Earl-street, Blackfriars.

H. Cooper, Crawford-street, apothecary. Attorney, Mr. Popkin, Dean-street, Soho.

T. Bigg, Milton, Kent, butcher. Attorney, Mr. Brace, Temple.

S. Clark, Commercial-road, hoop-bender. Attorney, Mr. Coates, Paul-street, Finsbury-square.

SATURDAY'S LONDON GAZETTE.

This Gazette contains dispatches from Sir G. Prevost. They give the number of killed, wounded, and missing of General Rottenberg's division, from the 6th to the 14th of Sept. as follows:—2 Captains, 1 Ensign, 430 rank and file, 1 horse killed; 1 General Staff, 1 Captain, 6 Lieutenants, 7 serjeants, 135 rank and file, 2 horses, wounded; 4 Lieutenants, 2 serjeants, 1 drummer, 48 rank and file, 6 horses, missing.—They describe the particulars of an unsuccessful sortie made by the republican troops from Fort Erie on the 17th, the main circumstances of which our readers will find in the District General Order.

Total of the loss before Fort Erie, in the action of the 17th—1 Captain, 2 Lieutenants, 7 serjeants, 105 rank and file, killed; 3 Lieutenant-Colonels, 3 Captains, 10 Lieutenants, 1 Ensign, 13 serjeants, 1 drummer, 147 rank and file, wounded; 2 Majors, 4 Captains, 3 Lieutenants, 2 Ensigns, 1 Adjutant, 1 Assistant-surgeon, 21 serjeants, 2 drummers, 281 rank and file, missing.

Officers Killed.—6th Foot, Capt. R. D. Patterson—8th Foot, Lieut. Barston—De Watteville's, Lieut. Pellichody.

It also describes the retreat of Gen. Drummond on the evening of the 21st Sept. bivouacking for the night under torrents of rain, and taking up his quarters on the 24th at the District Head quarters, Falls of Niagara.

It also contains an account of the capture, by boarding, of two valuable American schooners on Lake Huron; and also the capture of the United States brig of war Syren.

BANKRUPTS.

W. Old, Sun-street, Finsbury, haberdasher.
J. Whitehead, jun. and G. Clarke, Basinghall-street, Blackwell-hall-factors.
T. Aylmer, Wereham, Norfolk, hay-dealer.
W. Mainwaring and Co. Cornhill, bankers.
J. Pearson, Warwick-street, Spring-gardens, merchant.
T. Salmon, Holborn, woollen draper.
J. Row, Sunbury, Middlesex, plumber.
S. Lawrence, Camden Town, grocer.
J. Harris, Newgate-street, print seller.
T. Peirson, Star-court, Bread-street, factor.
T. L. Dunsford, St. Mary-axe, merchant.
S. Browne, Newcastle-upon-Tyne, publican.
J. Malaine and Co. Crown-street, Soho, working-jewellers.
R. Cotton, King's Lynn, Norfolk, grocer.
J. Whitehead and Co. Cateaton-street, bankers.
T. Reed, jun. Cross-street, Hatton-garden, glass-seller.
T. Brown, Bristol, maltster.
M. Matthews, Neath, Glamorgan, ironmonger.
C. Squire, Furnival's Inn-court, Holborn, printer.
T. Clark, Broker-row, Drury-lane, cabinet-maker.
B. Johnson, Norwich, grocer.

Various Communications are still delayed, for want of room.

The One Pound Note kindly left with the Editor by T. for the benefit of poor Higgins, has been conveyed to him through the hands of Mr. Fox.

PRICE OF STOCKS ON SATURDAY.

3 per Cent. Cons. .....63$\frac{3}{8}$ ⅞ Otenium .....3$\frac{1}{8}$ dis.

THE EXAMINER.

London, November 20.

Paris Papers arrived late on Friday night up to the 16th instant; but the week has produced only one particular piece of news from the Continent, and that is of a nature not to make us very anxious at present for more. The reader knows with what pertinacious good wishes we persisted in hoping the best of the Allied Monarchs. We might have had misgivings; and as it was, we hoped more perhaps from the immediate effect of circumstances, and even from certain weaknesses, amiable or otherwise, which they might act upon, than upon any positive strength of character or sound reasoning. We were also anxious to shew that whatever objections we might make to people in high places arose from nothing but their actual conduct; and it struck us, from all that we saw and heard, that it was as well to do as much as possible towards encouraging them in feelings, which with men of no very strong minds, are apt to be done away, or even converted into a foolish and resentful spirit of contradiction, by the doubt and derision of people in general.

It is therefore with considerable bitterness and weariness of feeling, that we observe the first unequivocal symptoms of a conduct, which if pursued by them in common, must convict the Allied Monarchs of gross hypocrisy, of ingratitude to their people, and insensibility to all misfortune and admonition. We allude to the news, that has really ar-

rived at last, of the official union of Saxony with Prussia. It is contained in a regular announcement of that circumstance from Prince REPNIN to the Saxon Authorities, in which he tells them, in the old and contemptible cant of such promises, that the integrity of the Saxon Kingdom will be preserved, the Constitution kept unaltered, and in short, the people blessed with all sorts of advantages. The first paragraph of this notice is a remarkable instance of the preservation of certain terms and modes of speaking, which we should have thought the newly-restored Aristocrats and Anti-gallicans would have taken pains to avoid; but there is nothing like setting off in a very impudent style of forgetfulness, when a lesson is to be set at nought.

"*Dresden, Nov. 8.*

"An official letter from the Minister of State the Baron de Stein, dated the 21st of October, informs me of a Convention concluded the 28th of September, at Vienna, by virtue of which, the Emperor of Russia, in concert with Austria and England, places in the hands of the King of Prussia the Administration of the Kingdom of Saxony. I have orders, therefore, to deliver the Government of this Country to the persons appointed for that purpose by the King of Prussia, and to cause the Imperial Russian troops to be relieved by the Prussian *troops*, in order to operate, *by that means*, the union of Saxony with Prussia, which will soon take place in a more formal and solemn manner, and in order to promote *fraternity* between the two people."

Where these things will end, if they go on as they have begun, it is perhaps not difficult to conjecture. The Allied Monarchs, by their proceedings, appear to think that all is safe, and that they may come out of the holes of their respective virtues, now that the arch-deceiver is not in a condition to outwit them. But let them take care. Popular opinion may chuse to be too strong for them in return, as it was for him. All is by no means safe yet, especially in France and Italy; and should the affairs of MURAT take a desperate turn with the Congress, while Italian officers are flocking from all parts to his standard, there is no knowing with what violence opposition may burst out again, or who may re-appear at the head of it. Of this at least we are certain, that should they go on as they have begun, they will have diminished most formidably the stock of their friends, and would find, in case of a new convulsion, that in losing their character and the popular good will, they had thrown away the best weapons they ever possessed. We would not even take our oath, that if they had got no further in their return to iniquity than this single outrage on Saxony, and BONAPARTE were by any chance to be put in condition of trying his fortunes again, the world in general would not wish him to succeed, if it were merely out of disgust at their shameless hypocrisy.

In adverting once more to the dispute between the *Times* and the *Morning Chronicle*, (a dispute, by the way, which we noticed not because we think it a very proud thing to meddle with newspaper quarrels, but because things very small in themselves may be connected with matters of great public consequence,)—we must own, though we confess with reluctance, that the *Chronicle* appears to us to have been on the worst side of the matter, and that it certainly did not make out it's charges of a direct connexion between the *Times* and the French royalists. So far therefore we have to retract what we said, or rather believed, respecting the connection in question; but it still appears to us, that we go a good way in taking the word of a newspaper, which has acknowledged that it can allow the truth to be omitted, if not perverted; nor are we at all clear, from particular articles in it's columns, and the general tone of it's politics, that it has not a continental connection or interest of some kind which might as well be avoided, though a French Minister may not directly write for it himself. The Paris papers did certainly boast of the articles with which M. de COURCERY, to use their own vain language, "used to enrich the London papers."—Of the respective Proprietors of the *Chronicle* and *Times*, we still entertain the same idea,—that is to say, that the one is a man of principle, that of a party kind,—and that the other, though he may be a very kind and likeable man in private, as we have been informed he is, has no political principle at all. We cannot see him advocating, as he has done, all sorts of opinions one after another, and even changing with the most ludicrous abruptness from this to that in the course of a few days, and contrive to regard him otherwise.

☞

American Papers, of very considerable interest, arrived yesterday. They particularize the proceedings at Ghent of the British and American Plenipotentiaries. The whole of the demands made by the former received "an unanimous and decided negative" from the American Ministers. The following points were presented on the 8th August last by the British Commissioners as subjects for discussion:—

1. The forcible seizure of mariners on board of merchant vessels, and the claim of allegiance of his Britannic Majesty upon all the native born subjects of Great Britain.

2. The Indian Allies of Great Britain to be included in the pacification, and a boundary to be settled between the dominions of the Indians and those of the United States. Both parts of this point are considered by the British Government as a *sine qua non* to the conclusion of a treaty.

3. The revision of the boundary line between the territories of the United States and those of Great Britain, adjoining them in North America.

4. The Fisheries—Respecting which the British Government will not allow the people of the United States the privilege of landing and drying fish, within the territorial jurisdiction of Great Britain, without an equivalent.

The British Ministers observed on the 3d article, that "Great Britain desires the revision of the frontier between her North American dominions and those of the United States not with any view to an acquisition of territory, as such, but for the purpose of securing her possessions, and preventing future disputes."

On the 9th August the American Commissioners presented further points as considered by the Government of the United States suitable for discussion, 1. A definition of blockade, and, as far as may be agreed, of other neutral and belligerent rights;—2. Certain claims of indemnity to individuals for captures and seizures preceding and subsequent to the war.

A letter of instructions of Mr. MONRO to the American Plenipotentiaries at Gottenburgh, dated 28th Jan. 1814, relates to the exemption of the United States from impressment, to a definition of the public law of blockade, and to an indemnity on each side for the spoliations of war. With respect to impressment, he says:—"The sentiments of the PRESIDENT have undergone no change on that important subject. *This degrading practice must cease; our flag must* protect the crew, or the United States cannot consider themselves an independent nation."—In relation to the blockading system, he says:—"There is much cause to presume, that if the repeal of the Orders in Council had taken place in time to have been known here before the declaration of war, and had had the effect of

preventing the declaration, not only that *no provision would have been obtained against impressment*, but that under the name of blockade, the same extent of coast would have been covered by Proclamation as had been covered by the Orders in Council. The war which these abuses and impressment contributed so much to produce, might possibly prevent that consequence. But it would be more satisfactory, if not more safe, to guard against it by a formal definition of the treaty." He observes, on the subject of Spoliations:—"Indemnity should be stipulated on each side, for the destruction of all unfortified towns, and other property, contrary to the laws and usages of war. It is equally proper, that the negroes taken from the southern states should be returned to their owners, or paid for at their full value. It is known that a shameful traffic has been carried on in the West Indies, by the sale of these persons there, by those who professed to be their deliverers. Of this fact, the proof that has reached this department shall be furnished you. If these slaves are considered as non-combatants, they ought to be restored."

From these diametrically adverse propositions of the two belligerents, together with the peculiarly irritating nature of the contest, we have to deplore the prospect of a long, extravagant, and sanguinary war; a war in which we shall think ourselves lucky if we do not, in its progress, involve against us some of the European Maritime States, detesting, as they so cordially do, our naval superiority.

On Lake Ontario Sir J. Yeo, with his recently launched large ship, of 100 guns, came out on the 11th Oct. and returned the next day. Commodore Chauncey's fleet returned to Sacket's harbour on the 13th, and moored head and stern across the harbour, in battle order.

The British sloop of war Hermes, has been taken with the loss of 85 men, in a fruitless attempt to take a fort in the Mobille.

By the Homer, arrived at Greenock from Quebec, we learn that after the affair at Plattsburg, the army had gone into winter-quarters.—The siege of Fort Erie had been abandoned.

A New York Paper says, that the British had again landed in the Chesapeake, and had devastated various parts of Virginia.

Twenty-two millions of dollars, to be raised in taxes, have been voted by Congress, and a National Bank of 50 millions, 10 millions to be subscribed in specie; the rest in public stocks.

By the arrival of the confidential Secretary of the Duke of Wellington from Paris, Ministers are, no doubt, put into the knowledge of the real situation of parties in that metropolis, and they must have learned that things are very different from the state shewn in the *manufactured letters* that appear in the corrupted prints. That General Dumoun and four of his friends were arrested at one time, and that in all forty persons have been taken up, though not one syllable of the matter has appeared in any of the Paris papers, is certainly true. We see, without surprise, this concealment apologized for in the *Times*. If *Lettres de Cachet* were revived, they would be equally justified. But the most serious part of the intelligence from Paris is, that the evil spirit which is rising points with the most malignant eye to England. The person of our Ambassador is not considered as safe. The most insidious stratagems have been practised to provoke and irritate his manly mind; and it is earnestly hoped that he may yield to the wishes of his best friends, and return to England. His hotel is called the *Head-quarters* of the *Belgian Army*, and the Prince of Orange is still considered as his *Aid du Camp*. This is the language of the military circles of Paris; and it cannot be denied but that his presence must be grating to the mortified pride of the Mareschals.—*Morning Chronicle.*

Even the Ministerial Papers admit, that there have been desertions from the British army in Canada: some accounts assert, that not less than between two and 3,000 regulars have gone over to the Republicans.

The proceedings in Parliament will be found very interesting, those in particular which relate to the Finances.

On Wednesday morning the Banking-house of Messrs. Whitehead and Co. stopped payment. It is said that this is owing to speculations in Omnium: and the City was thrown into consternation on Thursday evening by another Banking-house having stopped payment in Cornhill. What renders this stoppage remarkable is, that the Banking-house *received* their customers' checks till four o'clock, but refused to *pay*.

Several venders of bad bread, of which there are an abundance, were last week had up and fined, not only for the pernicious ingredients it contained, but for its short weight.—One sure sign of bad bread is, its becoming rapidly stale.

Cutlery from Hamburgh is at this moment being hawked in England, as Sheffield ware, at 50 per cent. under our prices!

John Barnes and Family.—Mr. Pughe has announced in the *Morning Chronicle*, that "he has already sufficient not only to relieve their present wants, but to make an ample provision for their future welfare. Thus, by the public benevolence, has seven fellow-creatures been saved from certain destruction, who, he trusts, will live and make useful members to society."

A Wig for Shiloh!—Two Gentlemen (says a Correspondent) called at the shop of Mr. Fuller, Hair-dresser, Dockhead, on Monday the 7th inst. to inquire if he had any light coloured hair? Several sorts were produced, one of which they were very anxious to purchase. Mr. F. being unwilling to sell hair unmanufactured, although they offered an advanced price in consequence, they requested it to be made into a child's wig, the dimensions of which one of the Gentlemen (calling himself Mr. Towzer) took from his pocket.—The following is a copy:—Round the head, 13 inches; over the head, 8 inches; over the head, from temple to temple, 9½ inches. He requested it to be made in the neatest manner, and it will be ready in a few days, and may be viewed by the curious, at his shop, Dockhead.—Joanna has prophesied, that the child *Shiloh* (the Surpriser of the World) is to be born bald, and is to be christened 21 days after birth, after which time he is to wear a wig.

THEATRICAL EXAMINER.

No. 182.

DRURY-LANE.

The *Fair Penitent* has been performed at this Theatre for the purpose of introducing Miss Walstein to the public in the character of *Calista*. We are always so pleased to see a graceful and intelligent woman contributing the aid of

her attractions and ability to adorn a very interesting art, that independently of the kindness due to the sex, we feel it to be impossible to check by severity the efforts of any female aspirante for theatric fame. Having said this, we must protest against any imputations on our gallantry or our candour, if our criticism should not be so favourable to the object of it as her expectations may have anticipated. We think Miss Walstein by no means calculated to maintain a successful rivalry against Miss O'Neill: we believe her to be a more cultivated person, and much better acquainted with the mechanical process of the art: but she has not the power possessed by the other, of exciting an interest, amounting almost to fondness, in every spectator. Miss Walstein is a tragedy queen: Miss O'Neill is a natural woman, expressing, as it rises, every passion in the usual and intelligible mode. For Miss Walstein we feel a cold respect—we weep with Miss O'Neill. Miss Walstein exhibits all the artifices of the stage, the stare, the strut, the gesture, the tone, which have been heirlooms of tragedy from time immemorial—Miss O'Neill has no arts but those of a woman anxious to awaken sympathy, by shewing that she is in earnest. A dignified attitude and a solemn enunciation may, perhaps, be very fine, yet the heart knows nothing about them; but who ever hopes to resist the unaffected clasp of the hands, the piercing tones of real sorrow? If Miss Walstein wishes to obtain an equal reputation with Miss O'Neill, she must employ the same means: she must become less theatrical: she must weep, and sob, and move as women usually do, and not suppose that there is any difference in the manner of exhibiting grief in and out of the walls of the Theatre. There is a notion that a certain austerity and even insolence of demeanour are necessary for tragic heroines: how such a ridiculous misconception originated we cannot now stop to inquire: we shall merely say, that any actress who adopts it, will find no admirers above the intellectual rank of ladies' maids and Dowager Duchesses. We can see no reason why Miss Walstein might not, if she pleased, become ten times more interesting: she has a good person, an expressive countenance, and a pleasing voice, and we take it for granted she is not deficient in sensibility. With these qualifications she might move our passions as she pleased, if she would consult her own heart rather than the traditions of the Green-room, or the practice of her least skilful coteniporaries. As it is, she is much superior to Mrs. Bartley, for she is entirely free from her affectations and unnatural mannerism. The best trait that we have yet observed in her, is the mournful intonation of her voice when she expresses despair; there is an awfulness about it which makes one shudder and look round for help. At other times her tones excite little interest; and we are sadly afraid that she has a tendency to rant. We will not, however, undertake to decide upon her pretensions, till we have seen her in some other character. *Calista* is one of the least affecting personages in the whole course of the drama. Indeed, the play altogether is disagreeable: its luscious descriptions of vice, with its dull recommendations of virtue, its drunken libertine and wittol husband, its grim father who asks his daughter to stab herself, and the frail lady, who seems as proud of her breach of chastity as if she had all the virtues under heaven, at once tire, perplex, and disgust. The whole story is offensive: there may be good men so infatuated as to love the women who make them a bye-word of contempt. It is however a disgraceful and filthy dotage, and had better be classed among the things not to be named among people of taste and sense: at any rate, let it not be obtruded on us through five long acts. *Lothario* is well enough: he lives and dies in the usual and approved manner; that is, he talks obscenely, drinks freely, debauches young ladies who go to bed without locking their chamber doors, perfidiously exposes the simpletons who trust their honour to him, and then is killed in a duel. We are not aware that the representation of such a character is of much use; but as the animal is rather lively, we can endure to see it run about, especially as its career is very short, and it is properly chastised for its mischief. We can bear to see the bad passions exposed in their most frightful forms, but we do not like to witness the degradation and defilement of worthy natures. To paint the possible follies of the good is to destroy that love of goodness which is one of the finest enjoyments attached to our existence.

THE WHIGS.

Mr. Examiner,—Though indebted to your friend *Criticus* for much useful information and entertainment, and coinciding with him, *on the whole*, in his estimate of our public characters, I cannot so far subscribe to his authority as to think that the appellation of Whig "ought to be a bye-word of contempt among Englishmen." The criterion which he has adopted would, in my opinion, strike at the root of every virtue which is dearest to mankind, inasmuch as it goes to measure *Principles* by the actions of its *Professors*. Are the principles of Whiggism less true or less to be respected, because, to persons *styling themselves* "Whigs, we owe some of the most odious laws that disgrace the Statute-Book?" With equal justice might we condemn Liberty itself for the outrages of revolutionary France, or charge the Christian Religion with encouraging superstition and servility, because a majority of the Bench of Bishops has been too frequently found on the side of Ministerial despotism and vulgar intolerance! A creed will acquire followers according to the ideas of utility or justice which it holds out to mankind. Few will go where neither interest nor honour invites. In some of the reigns succeeding the Revolution, the *name* of Whig had, for obvious reasons, become fashionable at Court. The *Pretenders* to Toryism, therefore, bore no proportion in numbers to their more favoured rivals.

I am far from being over zealous for badges of party difference, but before we condemn a creed, we ought, at least, to consider its principles. The fundamental principle of Whiggism (in opposition to the old Tory doctrines of "passive obedience," &c. and the modern cant about "social order and regular government"), is understood to be, that *All Power is a Trust for the benefit of the governed.* This was the principle which regulated the political life of Mr. Fox, and taught him to exult in the appellation of Whig. Lord Holland, Sir Samuel Romilly, Mr. Brand, Mr. Whitbread, and a few others, who are treading in his footsteps, are entitled to the same distinction. As for the Pseudo-Whigs,—the apostates from true liberty,—deserters from the cause of Parliamentary Reform *, and

* Though an enemy to Reform, *Criticus* cannot be a friend to apostacy.

the People, I leave them willingly to the censures which *Criticus* has so justly lavished upon them and "their prototypes;" only entreating him to discriminate between truth and pretence, and not to condemn the noble king of beasts for the stupidity and mischief of the presumptuous. With all due respect both for yourself and *Criticus*, I remain, Mr. Examiner, your constant reader and wellwisher,

Oct. 30, 1814. An Old Whig.

It is probable that the writer signing himself *An Old Whig* will, on consideration, find that there is no difference between him and *Criticus*. *Criticus* never doubted, and indeed in the article on Mr. Ponsonby he expressly said, that Whiggism was, as originally applied, but another term for all that is wise and enlightened in legislation. His dislike is to the Whigs as a body, as he considers them to be a Party who have presumptuously baptized some noble principles by their own name, and, one or two splendid instances excepted, have uniformly deviated from the upright prosecution of the system which they pretend to have adopted. The distinctions of *An Old Whig*, between truth and pretence, are very just; but *Criticus* cannot acknowledge that they were at all called for by any passages in his Parliamentary Articles. If *An Old Whig* should think it worth his while to reconsider the matter, perhaps he will think that his animadversions on the supposed injustice of *Criticus* were premature. Criticus.

A REPLY.

Mr. Examiner,—The Royal Academicians have, I perceive, authorized you to assert, "that all the harsh part of the story relative to the two Artists who visited Calais is entirely without foundation," &c. and in making this declaration, you thus conclude:—"What the feelings of the person who invented the story ought to be, need not be added."

This curious denial did not at all surprise me; but your concluding observation, about what ought to be the feelings of the *Inventor* of the story, certainly afforded me some little amusement; for truly, Sir, to the Artists themselves, if there be any *invention* in it, must the merit or demerit belong. No, no; say they; *not the harsh part of it:* we admit, indeed, that we were stopped in the open air by a strange Frenchman, who took away our property and destroyed it under our noses; that we submitted without resistance; that we did not insist upon going before the Commandant or the Magistrate, to ascertain the grounds of this usage, and to know whether the Officer had not mistaken or overstepped his duty; for we were sure that he could not have been an impostor, nor a soldier resolved at all hazards to insult the natives of a State which had assisted to humble his country, because "he did it with all proper politeness, and even apologized for the necessity that was imposed on him."

Really, Sir, to me this is all abundantly pleasant; and I can assure you too, that others have found no small cause for mirth in this new fashion of denying that a wound can be given by any other than a blunt instrument! I hope the good people, who were stopped and robbed the other day, near Somers Town, by a very polite footpad, will console themselves with this Academic philosophy. The ruffian in the *Beaux Stratagem*, as you well know, Sir, was a *perfect master of it*:—"Your jewels, Madam, your valuables: don't be alarmed, Madam; I always treat a lady with all proper politeness*: but I must cut your throat if you resist."

It is a hard thing to be serious, Mr. Examiner, on such a ticklish affair: but I will try. Well; I duly reflect upon the well-exercised humility and profitable gravity of a Royal Academician: I ponder upon the terrible looks of a Frenchman in military apparel: I forthwith subdue all irreverent inclinations: and I declare in all possible sadness, that the Englishman who suffered himself to be *so* treated by a French or any other man, without immediate inquiry or prompt resistance, has to my judgment degraded himself: and that neither bowings nor apologies nor regrets, (admitting that the language in which they were delivered was understood, which I believe it was not) can make the admitted fact, of the Frenchman's having publicly torn out the leaves of the book under the eyes of the owner, any thing but *an insolent act.*

Your readers, to whom I appeal, will now judge between Echo and these Royal Academicians; and if *one Gentleman*, of a sound body and mind, who is unknown to the parties, can be found to approve the conduct in question, I shall not hesitate to admit myself in error, and shall gladly offer my apologies "with all proper politeness."—Yours, &c. Echo.

P. S. The only point that has arisen, which has at all disturbed me in giving this anecdote to the public, is the doubt conveyed to me by an estimable person, as to its being somewhat too much of a *private nature* for the public eye.—Since the doubt was suggested, I confess that it strikes me as being a little dubious: but when it is considered, that the fact took place in the open air and among strangers, that an Officer in the pay of the French Government was apparently engaged in it, and that it was manifestly useful to make known the treatment to which English Artists travelling in France were subjected,—perhaps it may be allowed, that there is some difficulty in ascertaining whether the anecdote be of a public or private description. As, however, it has been so strangely denied and interpreted, and so generally talked About, I am compelled again to advert to it.—Though writing under the signature of Echo, my real Name is known to the parties.

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* I quote from memory: but you will correct me, if I err as to the *sentiment.*

LAW.

COURT OF KING'S BENCH.

Monday, Nov. 14.

LIBEL UPON JESUS CHRIST.—THE KING V. GEO. HOUSTON.

The Attorney General prayed the judgment of the Court upon this defendant, who had suffered it to pass against him by default on a criminal information, which charged him to be the composer, writer, printer, and publisher of a blasphemous and profane libel on our Saviour and the Christian religion, and then set out several long passages from the several parts of a pamphlet called "*Ecce Homo.*" These extracts consisted of arguments against and ridicule of the established religion.

An affidavit by the defendant, who described himself, "of Bellevue-place, Kingsland, Gentlemen," was then put into the hands of Mr. Dealtry, the proper officer.

Lord Ellenborough—Before whom is the affidavit sworn?

Mr. Dealtry—Before Mr. Justice Bailey.

Lord Ellenborough—Upon what was the defendant sworn? How could it be upon the New Testament?

Mr. Brougham, for the defendant, said, that if a person professed any other religion than the Christian, he might still be sworn according to the forms of that religion. If the oath had been informal, he requested time to amend it.

Lord Ellenborough—It is not informal, Sir; it is bad in substance. I remember the case of a woman who said all religions were alike to her; and Lord Mansfield repelled her from taking an oath. Are you prepared to suggest, Sir, what belief the defendant has, by which he may be sworn?

Mr. Brougham—My Lord, I have no knowledge whatever of the defendant's principles, but what I collect from my brief; and *I desire that your Lordship will not mix me up with those whose causes it is my duty as an advocate to plead: since, whatever the Court may say in the spirit of that insinuation, I will always repel.* I repeat, that I know nothing of the defendant's faith, or want of faith; but, if his affidavit can be amended, I ask of the Court delay till it can be so amended.

Lord ELLENBOROUGH—*There was no insinuation.* Your request imports, that at a future time he may be able legally to take an oath: the Court wishes to know how?

Mr. BROUGHAM—I stated what was required by a regard for my character on a very delicate matter, and what was only due to it after the remark that had been made. *I repeat in the face of this Court, that as often as I hear such insinuations, I shall use the first moment and the strongest expressions, distinctly and peremptorily, to repel them.* I am here as the retained advocator of the defendant.

Lord ELLENBOROUGH said the Learned Counsel was perfectly correct; he only meant to allude to him as the advocate, and it was quite proper and his duty to obtain delay in order to confer with his client on the matter.

Mr. BROUGHAM—I shall confer in open Court with the plaintiff. He has heard what has passed, and if he is prepared to state how he can remedy the defect in the swearing, now is the time.

The Defendant was proceeding to entreat a day for this purpose; and Lord ELLENBOROUGH had asked him to point out any mode by which he might be sworn, when Mr. BROUGHAM said he should be able to save the Court some trouble, by stating, that the defendant denied being the author of this libel, of which he had confessed judgment as the publisher only.

His affidavit was then read.—He also put in another affidavit, stating, that the pamphlet had been very little circulated, and that its arguments were not new, but might be bought in every bookseller's shop, in the works of Voltaire and others, for 13*s.* which was the price of *Ecce Homo.*

The defendant also put in the affidavit of Mr. Joseph Webb, which stated that the pamphlet was printed here in 1797, &c.

The ATTORNEY-GENERAL—As long as the Judges were sworn to execute their office upon that Gospel which the defendant had libelled, as long as our legal and other proceedings required the sanction of an oath, as long as the Christian religion was that in the belief of which we built all our consolations here and our hopes hereafter, it would be unnecessary to urge the justice of the present prosecution. The question for the Court was, what is the character and quality of the defendant's offence? And if the Attorney-General were disposed to present it in the most unfavourable light, he should make use of the defendant's own affidavits. It appeared by the affidavit on the part of the prosecution, that the defendant was in possession of the only copy of this pamphlet, and was applied to by Eaton to furnish him with the instrument of mischief, and to prepare it for the press, by making it as little objectionable as possible, without altering its character, and to incorporate with it new materials furnished by himself; and for the loan of Eaton's name as publisher, the defendant and the printer were to give him 60*l.* per cent. and afterwards divide the profits between them; and that the defendant had acknowledged himself to the printer as the author of the work, had sent in an introduction to it in his own hand-writing, had paid the printer money for executing his task, and had said that he had before published the work in Scotland. It also appeared, that for the loan of Eaton's name, the defendant had agreed to give 60*l.* per cent. As to the statement which the defendant had made that the work had been but little advertised, there was a very good reason for that, for the proprietors of newspapers had had notice that if they published advertisements of such publication, they would be liable to prosecution. But part after part of the work was in fact advertised, although the proprietors of newspapers knew that Eaton was in prison; and the Attorney-General warned all those who might be in possession of copies of this work now, that if they disposed of them, he should file as many informations as there might be such dispositions made.

Mr. BROUGHAM—"After the passages of the book in question have been read, the criminality of which is admitted by suffering judgment to pass by default, and after the general feeling which has accompanied that perusal, it may appear rather adventurous to attempt to say any thing even in mitigation of the defendant's punishment. Nevertheless, upon the circumstances of the present case, and referring to what passed before the Court when Mr. Eaton was brought up for punishment for publishing the present libel, I do feel confident that the case of this defendant is entitled to your Lordships' favourable consideration. The late Mr. Eaton appeared as a misguided enthusiast, who had then been guilty of no positive act of dishonesty, and he came before the Court in a state which rendered his surviving for the next three months extremely problematical. He was then actuated by fear, and said he was made the tool of the present defendant, who was the real author of the publication. To call this a dishonest act is to give it a slight name; and although he admitted he was guilty of being concerned in the publication, yet upon this statement the compassion of the Court was moved, and he was allowed to depart free. Now all I ask for this defendant is, that your Lordships will view his case with the same eyes with which you saw Eaton's, when, labouring under the misinformation you received from him, you allowed him to go free. What are the facts of the present case? Is the defendant the instrument of Eaton;—is he the main plotter, who made Eaton the tool? This is the first question for your Lorships to consider; and then how far you will view this man as you viewed Eaton. It appears from the affidavits, that Eaton took in the defendant more than the defendant deceived Eaton. As to the affidavit of Mincham, the printer, he is not a disinterested witness,—a man who by his own confession is equally culpable with Eaton, namely, as an accessary, but who is not brought up here for judgment to-day, he having made his peace, by what means I shall not inquire; he is not here in his own person—he is spared, but by affidavit, in which he seeks to screen himself by throwing the guilt upon another. Have your Lordships no evidence but what is liable to suspicion? There is the affidavit of Mr. Webb, in distinct contradiction to the statement of Mincham and Eaton, in two material points,—firstly, to the Attorney-General's assumption, that but for the defendant, Eaton would have had no copy of the pamphlet; for it states that Mr. Webb himself had a copy. Then as to which was the tool of the other. Eaton told the defendant that he was resolved, at all hazards, to publish the work, and only wanted somebody to revise it. By his own admission, Eaton (a fanatical infidel, if you please), an enthusiast, if you will, against religion, resolved, if there was a type to be found in England (to use his own expression), to print this work, and in this frame of mind he applied to the defendant. It further appears (for it is not contradicted by Mincham's affidavit), that the work was originally written in French many years ago. But Mincham stated (as far as I could collect from hearing his affidavit read, for I had not the benefit of a previous perusal of it), that the defendant had represented himself as the author of it. I will not say he has falsely stated this (although he comes before the Court in a suspicious situation), but he may have been mistaken, and the improbability of the defendant's having so represented himself appears from the pamphlet itself, which, upon its face, professes to be a translation. It is in fact a compilation from the French infidel writers; and Mincham, possibly an illiterate man, and unaccustomed to the distinction between an author and a translator, may have mistaken the defendant's representation of the character which he bore as to the work.

The ATTORNEY-GENERAL interrupted to say, that it did not appear by the title-page of the part before him that the work was a translation; but the Officer of the Court was understood to say, that it did so appear by that in his possession.

Mr. BROUGHAM—I cannot speak from my own knowledge. Though I have seen, I have never read a single paragraph of the work, except the passages on the record; and am one of the many, many thousands, who would never have seen even these passages, if it had not been for this information. I have now stated the circumstances, upon which (by analogy to the case of Eaton), I said I was bold enough to expect the defendant would be visited with slight punishment. It is unnecessary to go into other matters. It has been stated, that the original author or translator in 1799 has been many years dead; and that all these facts were distinctly mentioned to the Attorney-General before Eaton's death, when, if untrue, they might have been contradicted by that person. The defendant, after he was

aware of the tendency of the publication, used all means to suppress it, and refused large sums for copies of it; he did not advertise it; offered to give up the remaining copies, and to enter into a security that he had kept back none. It was therefore unnecessary in the Attorney-General to hold out the threat he made use of: he knows that months ago he received an offer that every copy should be given up. In an additional affidavit, the defendant has suggested the delicate situation in which a publisher stands; and the claims which that gives him to indulgence, should he overstep the observed bounds of legal publication, are manifest. He daily sees, in every booksellers' shop, lying for sale, yet safe and unmolested, works of the most eminent authors, containing the very sentiments and almost in the words of this book. He finds those writings in every library, public and private, throughout the country; in the hands, on the tables, of persons the highest in rank, of the most unimpeached principles, of the most unquestioned and unquestionable respectability.—Those distinguished personages he daily sees buying, showing, reading, lending, the books, both in foreign language and in our own, from which the present is a literal transcript. All this passes without the least notice taken, or risk incurred; and the defendant, in his trade of a publisher or bookseller (I know not which he exercises) is required nicely to balance the scale of danger and safety, cunningly to trace the line which separates what may from what may not lawfully be circulated; and with so many examples before his eyes, of the greatest booksellers and worthiest citizens concurring in the traffic of every species of infidel composition, beyond all risk of legal vengeance, he is called upon to refuse acting in the line of his business, or expose himself to the vengeance of a law whose course he can hardly follow. This is a large book, consisting, as the Attorney-General says he has read it, of three hundred and fifty pages. If I were acquainted with it, I might be able to point out in the course of it passages of less ribaldry, and more unexceptionable even than those which have been read, by way of counteravailing the libel; but I have already said that my knowledge of it is derived entirely from the record; and but that for this prosecution, I lament to add, I as well as thousands and thousands who must now see it, would never have known of its existence. In concluding, I may be permitted to say one word respecting myself, from the delicacy of my present situation, and after what fell from the Court at an early period of the day. Of the book itself, or the principles of the defendant, I know nothing; it is needless to add, that I am merely his retained advocate: *but this I will say from my own observation of these canting times, that there are many better Christians, as there are truer men, than those who go bawling out their faith in the high places; that we may be sincere, though quiet—devout, though charitable—nay, that a man may look forward to benefit by his piety in the way of reversion, though he has not the talent of turning it to present account by making godliness a great gain!*

Mr. Justice LE BLANC said, that it was not correct to suppose that the defendant's punishment would be apportioned with any reference to the offence of the person alluded to; for, when he was brought up, the Attorney-General did not pray judgment against him, and unless the prosecutor did this, the Court could not pronounce judgment. That offender was no more, and the Court would in charity suppose, that, before he died, he saw and repented of his errors. The defendant sinned with his eyes open against his better conviction, and, for the sake of gain, yielded to lend his efforts to aid the purposes of a man as bad as (or worse than) himself. It was not material whether the defendant was the original inventor or the translator, or the selector, or had nothing to do with the authorship of the libel: he had read it, and lent his aid to the diffusion of it. What, if it had been published many years ago—the poison had subsided, and but for him and his associates might never have been spread again. The defendant furnished the paper for the work; and the Court could not be parties to any stipulation to deliver up the remaining copies of it: they were not now destroyed or delivered up: if they had been, it might be taken into the Court's consideration in mitigation. As it was, it was the imperious duty of every possessor of a copy to destroy it, and it was not the less his interest so to do; for if after this any copy should be disposed of with or without profit, such act would render the disposer liable to a criminal information.—The sentence of the Court was, that the defendant should pay to the King a fine of 200*l.* and be imprisoned in Newgate two years.

Thursday, Nov. 17.

Two Officers of the Excise, *Hayne* and *Racey*, were sentenced to be transported beyond the seas for seven years, for having taken large sums of money from several Victuallers than they had a right to by the law.

Alexander M'Rae, well known for the share he had in *De Berenger's* Stock Exchange Fraud, was brought up and sentenced to be imprisoned one year in the King's Bench.

ACCIDENTS, OFFENCES, &c.

Early on Thursday morning, the Hon. Mrs. Broderick's house was entered by thieves, by means of a lamplighter's ladder, at the window of the first floor; but their movements in the house having awoke the butler, who slept in his pantry, he got up, having partly dressed himself, loaded a pistol with shot, and proceeded very resolutely up the kitchen stairs. On opening the door leading into the hall he saw a tall man coming out of the front dining-room, with a wax candle lighted in his hand; he observed him examining the clock case in the hall, and while in the act of stooping the butler discharged the pistol at him. There is no doubt that he shot him on the right side of the face, as he saw the robber instantly put his hand to that part. He escaped with all possible speed by the street door, which he must have previously unfastened. On examining the premises a quantity of blood was discovered in different parts, particularly near the door. The butler pursued him for some distance, calling for assistance, but received none; it was then about five o'clock. The butler had a full view of the robber, and supposed him to be about five feet ten inches high, thinly made, near 30 years of age. He wore a short dark coat or jacket, and had the appearance of a lamplighter. The ladder by which the robber got in was left in front of the house. Information was sent to Bow-street, and Adkins the officer went and examined the premises; he found a hat and shoe, which had been left in the house by the robber in making his escape.

MARRIAGES.

On the 14th inst. at Taunton, Sir Charles Melbuish, of Columpton, Devon, to Miss M. Cogan, of the former place.

On the 15th inst. at St. George's, Bloomsbury, James Paterson, Esq. of the Inner Temple, son of the late Colonel Paterson, R. A. to Henrietta Mary, third daughter of John Jones, Esq. Brunswick square.

DEATHS.

On Tuesday last, universally respected, Mrs. Wiggins, relict of John Wiggins, Esq. Danbury, Essex.

On Wednesday of an apoplectic fit, Martha, wife of Mr. Charles Wright, Goldsmiths' Hall, Foster-lane, aged 66.

Lately, at Sedbury House, Yorkshire, Sir R. D. Hildyard, Bart.

On the 13th instant, at Ickwell, in the county of Bedford, aged 73, John Fysche Palmer, M.D. who for many years practised at Peterborough as a Physician with considerable celebrity. "He was a gentleman (says a Correspondent) possessed of many amiable qualities—was a liberal admirer of the Fine Arts—and was conversant both in general and polite literature. It may truly be said of him, that few men have died more universally respected."

Friday, at North Shields, Mr. James Milburn, innkeeper. He went to bed at 11 o'clock at night, in apparent good health, and when Mrs. Milburn went into the room at 12, she found him a corpse.

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